

MEETINGS TO DATE 16
NO. OF REGULARS 16
NO. OF SPECIALS 0

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LANCASTER, NEW YORK
AUGUST 21, 1978

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 21st day of August, 1978 at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF

BID OPENINGS:

None

PUBLIC HEARINGS:

None

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their monthly reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Building Inspector	July, 1978

OFFICIAL REPORTS CONT'D.:

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Recreation Commission

August, 1978

COMMITTEE REPORTS:

Councilman Metz for the Building Committee presented to the Town Clerk a newspaper clipping indicating that the Town of Cheektowaga has negotiated with the New York Telephone Company for better phone service at reduced cost.

Councilman Metz requested that before a final decision is made on a private phone service for the Town of Lancaster, the phone company should be contacted and given an opportunity to compete with the private service.

Councilman Barnhardt for Sewer District No. 4 reported that at the last meeting of the Board of Managers of the sewer district the 1978 Preliminary Budget was reviewed in detail.

Councilman Barnhardt noted that the Town of Cheektowaga has not paid their Sewer District 4 assessment for the past two (2) years. He recommended that at the next meeting some provisions be discussed relative to penalty payments for those participating municipalities who do not timely pay their assessment.

Councilman Berent for the Recreation Committee reported that the committee met with the Recreation Commission relative to the renovation of the Keysa Park Pool.

Councilman Metz was directed to contact the Town Engineer and develop a scope for this project in anticipation of preparing specifications for the meeting of September 5, 1978.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board, held
August 7, 1978, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS , the Town of Lancaster Ambulance Board, by letter dated
August 16, 1978, has recommended the appointment of certain individuals to the
Town of Lancaster Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership of
the Town of Lancaster Volunteer Ambulance Corps:

Nancy Brown	41 Grant Street, Lancaster, New York
Mary McCormick	254 Canton Street, Depew, New York
Gregory P. Jankiewicz	176 Darwin Drive, Depew, New York
Mary E. Franjoine	1909 Como Park Blvd., Lancaster, New York
Maureen E. Klein	72 Christen Court, Lancaster, New York
Ronald M. Schmitt	180 Lake Avenue, Lancaster, New York
Timothy R. Murphy	2029 Como Park Blvd., Lancaster, New York
John E. Adolf	54 Fifth Avenue, Lancaster, New York
Marvin L. Scroger	499 Lake Avenue, Lancaster, New York
Harry J. Rahuba	57 Karen Lane, Depew, New York

and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed
to take whatever action necessary with the Kansas City Fire and Marine Insurance
Company to provide Workmen's Compensation Insurance to cover the foregoing
new members of the Town of Lancaster Volunteer Ambulance Corps.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain additions to the Town Ordinance entitled "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, County of Erie, State of New York, designated Chapter 46 of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of September, 1978, at 8:00 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 24th day of August, 1978, in the Lancaster Enterprise-Journal, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 21st day of August, 1978, the said Town Board will hold a Public Hearing on the 5th day of September, 1978, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendments to ARTICLE V (One-Way Roadways), ARTICLE VIII (Stop and Yield Intersections, and ARTICLE X (Parking, Standing and Stopping), to the Vehicle and Traffic Ordinance of the Town of Lancaster, County of Erie, State of New York, designated Chapter 46 of the Code of the Town of Lancaster:

ARTICLE V - One-way Roadways

Section 46-5, One-way roadways, is amended by adding thereto:

- B. Farmingdale Court, (Pleasant Meadow Subdivision), from its northerly terminus at its intersection with Deerpath Drive, is hereby designated one-way traffic in a north-westerly, then southwesterly, then southeasterly direction to its southern terminus at its intersection with Deerpath Drive, and that a "One-Way" sign at the northerly entrance thereto, a "Do Not Enter" sign at the southerly exit be erected to control said one-way traffic.

ARTICLE VIII - Stop and Yield Intersections -

Section 46-8, Stop Intersections designated, is hereby amended by adding thereto:

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Fox Hunt Road	North/South	Robinwood Court	Westbound	N.E. Corner

Section 46-8.1 - Yield Intersections designated, is amended by adding thereto:

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC YIELDS</u>	<u>SIGN LOCATION</u>
Deerpath Drive	North/South	Farmingdale Court	Southeasterly	S.W. Corner

ARTICLE X - Parking, Standing and Stopping

Section 46-12, Parking prohibited in designated locations, is amended by adding thereto:

- (12) On the east and west sides of Ransom Road, from its intersection with Walden Avenue northerly approximately three tenths (3/10) of a mile to the intersection of Peppermint Road.

(13) Pleasant Meadow Subdivision:-

- a. On the south side of Pheasant Run Lane from its intersection with Warner Road to its easterly terminus.
- b. On the east side of Deerpath Drive from its intersection with Pheasant Run Lane northerly to its intersection with Fox Hunt Road.
- c. On the southern and eastern side of Fox Hunt Road from its intersection with Deerpath Drive easterly and northerly to its intersection with Bridlepath Lane.
- d. On the eastern side of Idlebrook Court from intersection with Pheasant Run Lane northerly to approximately Lot No. 192 in said subdivision.
- e. On the south side of Robinwood Court from its intersection with Fox Hunt Road easterly to approximately Lot No. 157 in said subdivision.
- f. On both sides of Farmingdale Court.

Section 46-13, Standing prohibited in designated locations, is amended by adding thereto:

- (12) On the east and west sides of Ransom Road, from its intersection with Walden Avenue northerly approximately three tenths (3/10) of a mile to the intersection of Peppermint Road.

(13) Pleasant Meadow Subdivision:-

- a. On the south side of Pheasant Run Lane from its intersection with Warner Road to its easterly terminus.
- b. On the east side of Deerpath Drive from its intersection with Pheasant Run Lane northerly to its intersection with Fox Hunt Road.
- c. On the southern and eastern side of Fox Hunt Road from its intersection with Deerpath Drive easterly and northerly to its intersection with Bridlepath Lane.
- d. On the eastern side of Idlebrook Court from its intersection with Pheasant Run Lane northerly to approximately Lot No. 192 in said subdivision.
- e. On the south side of Robinwood Court from its intersection with Fox Hunt Road, easterly to approximately Lot No. 157 in said subdivision.
- f. On both sides of Farmingdale Court.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 21, 1978

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Millgrove Volunteer Fire Company, Inc., by letter
dated August 11, 1978, has requested confirmation of three (3) new members
duly elected to the Membership of the Millgrove Volunteer Fire Company, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individuals in the Millgrove
Volunteer Fire Company, Inc.:

CONFIRMATIONS

Alexander A. Stroka Jr.
11922 Buckwheat Road
Lot #10
Alden, New York 14004

Joseph Uebelhoer
2522 Wende Road
Alden, New York 14004

Thomas A. Edenhofer
2948 Wende Road
Alden, New York 14004

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, by resolution dated June 19, 1978, the Town of Lancaster has entered into Manpower Project No. 642 under Title VI of the Comprehensive Employment Training Act of 1973, to provide a projects program on behalf of the Highway Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby creates the temporary positions of Instrument Man, Crew Chief, and Clerk for the Town of Lancaster under CETA Project No. 642, with duties as set forth in the agreement for CETA Project No. 642, and the resolution of the Town Board dated June 19, 1978 and that the Supervisor's Office take such further action with the Personnel Department of the County of Erie as may be necessary and proper with regard to the creation of said positions, and

2. That the following individuals be and hereby are appointed and upgraded to the temporary positions of Instrument Man, Crew Chief and Clerk, under CETA Project No. 642, as set forth in the Agreement for CETA Project No. 642, being Contract 36-7005-60:

<u>CREW CHIEF</u>	- \$3.70 per hr.	- <u>Effective August 7, 1978</u>
Robert Skrabski	-	72 Garland Avenue, Cheektowaga, New York
<u>CREW CHIEF</u>	- \$3.70 per hr.	<u>Effective August 21, 1978</u>
Joseph Hill		59 Field Avenue, Lancaster, New York
<u>INSTRUMENT MAN</u>	- \$3.70 per hr.	<u>Effective August 10, 1978</u>
Mark Sorenson		142 Kandahar Drive, East Aurora, New York
<u>CLERK</u>	- \$3.70 per hr.	- <u>Effective August 7, 1978</u>
Francis Robertson		100 Overbrook Drive, Tonawanda, New York

and,

3. That the following individual be and hereby is appointed to the temporary position of Laborer as set forth in said Agreement and Contract:

LABORER - \$3.09 per hr. - Effective August 7, 1978

Michael Gorniak 36 West Drullard, Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED.
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, GUENTER H. BURKHARDT and EVA G. BURKHARDT, 5960 Broadway, Lancaster, New York, have petitioned the Town Board of the Town of Lancaster for the rezone of certain property situate on the north side of Broadway, from an RC-Residence-Restricted Business District and SA-Suburban Agricultural District to a C2-General Commercial District, which property is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Lancaster, County of Erie and State of New York, being part of Lot Number Nine (9), Section Four (4), Township Eleven (11), Range Six (6) of the Holland Land Company's Survey, Bounded as follows:

BEGINNING at a point in the north line of Broadway at its intersection with the west line of Lot No. 9; thence northerly and along the west line of Lot No. 9 a distance of one thousand two hundred feet (1,200') parallel to the north line of Lot Number Nine, (9), Section Four (4), six hundred sixty and forty-three hundredths (660.43') feet measured distance; Thence southerly parallel with west line of property heretofore deeded to Charles and Daisy Shaffer, one thousand two hundred feet (1,200') to a point in the north line of Broadway; thence north-westerly and along the north line of Broadway a distance of six hundred seventy-six and fifty-one hundredths feet (676.51') to the place and point of beginning,

and

WHEREAS, said petition has been referred to the Planning Board and Planning Consultant of the Town of Lancaster, and the Erie County Department of Planning, and

WHEREAS, a public hearing on the petition for proposed rezone was held by the Town Board of the Town of Lancaster on the 7th day of August, 1978, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board, Planning Consultant and Erie County Department of Planning and the evidence adduced at said public hearing and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

1. Several landowners and residents in the immediate area of premises to be rezoned object to and are opposed to requested rezone.
2. That Petitioners have not submitted to the Planning Board the requested development plans in accordance with Article XXVII, Section 50-136 of the Town Zoning Ordinance.
3. That Petition, without the aforementioned development plan, is vague with respect to the exact nature of the use Petitioners propose. There is indication that some of the proposed activities will not be within the permitted use in a C-2 Zone, as defined by Town of Lancaster Zoning Ordinance.
4. That adequate C-2, General Commercial District zoned property exists within the boundaries of the Town for the use requested by the Petitioners.
5. That the use of the subject premises as proposed by the Petitioners could tend to de-value present property values in the area and is not in keeping with the purpose and intent of the Town Board of the Town of Lancaster as expressed in the Master Plan and Zoning Map of the Town of Lancaster, nor will it achieve an orderly and balanced development of the Township.

and

WHEREAS, the denial of this Petition for Rezone will not deny the reasonable use of the real property to the owner thereof,

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings, the petition of GUENTER H. BURKHARDT and EVA G. BURKHARDT, be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Lancaster Youth Bureau and Narcotic Guidance Council has requested authorization for Mary Lucariello, Marian Strickland and Andrew Gancarz to attend a workshop pertaining to the New York State Division for Youth Project Application Procedures for 1979, to be held at 7:30 P.M. , on August 21, 1978, at the office for the Erie County Youth Bureau, 110 Seneca Street, Buffalo, New York, and

WHEREAS, the Lancaster Youth Bureau and Narcotics Guidance Council, by letter dated August 9, 1978, has requested authorization for Stanley Jay Keysa, Anthony V. D'Amore and Mary Lucariello to attend an Awards Dinner at the Sheraton East in Cheektowaga, New York on September 27, 1978,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Mary Lucariello, Marian Strickland and Andrew Gancarz be and are hereby authorized to attend a workshop pertaining to the New York State Division for Youth Project Application Procedures for 1979, on Monday evening August 21, 1978, at 7:30 P.M., in the office of the Erie County Youth Bureau at 110 Seneca Street, with reimbursement for travel expenses and any other necessary expenses incidental thereto, and

2. That Stanley Jay Keysa, Anthony V. D'Amore and Mary Lucariello be and are hereby authorized to attend an awards dinner at the Sheraton East in Cheektowaga, New York on September 27, 1978, with reimbursement for dinner at \$15.00 per person, plus mileage.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

~~advised~~

The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated August 13, 1978, has requested confirmation of two (2) new
members duly elected to the Membership of the Bowmansville Volunteer Fire
Association, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individuals in the Bowmansville
Volunteer Fire Association, Inc.:

CONFIRMATIONS

Donald C. Bakowski
29 Kennedy Court
Lancaster, New York 14086

Michael F. Piasecki
400 Harris Hill Road
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6862 to 6924 Incl.	\$52,413.86
Special District Funds	No. 321 to 321 Incl.	\$ 6,293.10
Part Town Funds	No. 585 to 588 Incl.	\$ 1,893.31
Highway Funds	No. 2024 to 2044 Incl.	\$14,037.62
Federal Revenue Sharing	No. 1191 to 1237 Incl.	\$13,506.93
Capital Fund	No. 344 to 352 Incl.	\$26,295.82
CETA Project No. 641	No. 26 to 28 Incl.	\$ 275.19
CETA Project No. 642	No. 1 to 3 Incl.	\$ 1,848.07
CETA Project No. 645	No. 30 to 32 Incl.	\$ 702.25
Community Development Fund	No. 1002 to 1002 Incl.	\$ 7,281.90

BE IT FURTHER,

RESOLVED, that the claim of Edway Construction Co., Inc., dated
August 1, 1978, in the amount of \$7,281.90 for the renovation of the Town
Hall Opera House be and is hereby approved and the Supervisor be and is
hereby ordered to submit this claim to the Community Development Program
for reimbursement.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 21, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
126	Robert Reardon	176 Pleasant View	EXT. BRK. VEN. SIN DWLG, PVT. GARAGE
127	Sam Guida Jr.	4937 Transit Rd.	ER. CONCRETE BLK RESTAURANT
128	Edmund R. Richards	250 Erie Street	ER. FR. PLYWOOD POOL
129	Patrick Marrano Associates	6227 Genesee	ER. FR. BRK. VEN. FRONT STORE BLDG.
130	Leo Bauer	204 Schwartz Rd.	ER. FENCE
131	Brian Fahey	Peppermint Rd.	ER. CINDER BLK BARN
132	Marrano Enter.	22 Ravenwood Dr.	ER. FR. BRK. VEN. SIN DWLG, PVT. GARAGE
133	Marrano Enter.	41 Fox Hunt Rd.	ER. FR. BRK. VEN. SIN DWLG, PVT. GARAGE
134	Sandra Gwitt	209 Miller St.	DEM., ER. FR. STORAGE BLDG.
135	Marrano Enter.	12 Robinwood Ct.	ER. FR. BRK. VEN. SIN DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

August 21, 1978

Councilman Bolender requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, by letter dated August 18, 1978, the Deputy Building Inspector has requested permission to attend a "State Building Codes" course at Erie Community College,

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT L. LANEY, Deputy Building Inspector of the Town of Lancaster, be and hereby is authorized to attend the "State Building Codes" course at Erie Community College with reimbursement for tuition not to exceed \$78.00, plus mileage.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

August 21, 1978

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, a 55 mile per hour speed limit is presently in effect on Como Park Boulevard in the Town of Lancaster from the Village of Lancaster line west to its intersection at Transit Road, and

WHEREAS, the Police and Safety Committee of the Town Board of the Town of Lancaster deems it in the public interest that a survey and evaluation of the existing 55 mile per hour speed limit be made

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby requests the New York State Department of Transportation to survey and evaluate the existing 55 mile per hour speed limit on Como Park Boulevard in the Town of Lancaster from the Village of Lancaster line west to its intersection at Transit Road, with a view towards lowering the speed limit at which vehicles may proceed to 30 miles per hour, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized and directed to complete and execute Form TE 9 (1/68) and forward it to the Erie County Department of Public Works, Division of Highways, with a request that the County of Erie join with the Town of Lancaster in this request.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

August 21, 1978

1. Preferential Rights, Erie Lackawanna R.R.
By letter dated August 10, 1978, Mr. Glenn F. Torch, Sales Mgr. for the Erie Lackawanna Railway Co. informed the Town Board that he would recommend to their trustees a purchase price of \$750.00 an acre for the right-of-way acquisition.
2. Public Dedication of Townedge Water Lines
On March 13, 1978, the Erie County Water Authority gave approval for a meter pit for the interconnection between Countryside and Townedge. With the filing of Map Cover 2402 on August 10, 1978 for Countryside Subdivision, and execution of the necessary easements precedent thereto, this matter was effectively concluded. The Town Clerk was directed to remove this item from future agendas of the Town Board.
3. Public Improvement Permit Authorization, Lancaster Industrial Park
On September 6, 1977, the Town Board approved P.I.P. Nos. 41 and 42 for storm sewer, pavement and curbs. On June 5, 1978, the Town Board approved P.I.P. No. 53 for water line.
4. Phase III, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On March 20, 1978, the Town Board approved P.I.P. No. 50 for Phase III water lines. On May 1, 1978, the Town Board approved P.I.P. No. 51 for Phase III storm drain and P.I.P. No. 52 for Phase III pavement and curbs. On August 7, 1978, the Town Board accepted a \$125,000. M & T Letter of Credit to secure the issuance of building permits in Phase III.
5. Rezone Petition, Guenter H. and Eva G. Burkhardt
On August 7, 1978, the Town Board held an adjourned public hearing on this proposed rezone and after closing the public hearing tabled their decision until their next meeting. On August 21, 1978, the Town Board denied this rezone request. The Town Clerk was directed to remove this item from future agendas of the Town Board.
6. Subdivision Filing, Josela Enterprises, Countryside Subdivision
On March 20, 1978, the Town Board approved this subdivision and authorized the Town Attorney, with a representative of the developer, to file this subdivision map. On August 7, 1978, the Town Board reapproved this subdivision because the developer did not file the map within the required 60 day period. On August 10, 1978, this subdivision was filed in the Erie County Clerk's Office under Map Cover 2402. The Town Clerk was directed to remove this item from future agendas of the Town Board.
7. Subdivision Filing, Woodview Estates Subdivision
On February 27, 1978, the Town Board approved this subdivision and authorized filing of the subdivision map under conditions by the Town Attorney. On August 7, 1978, the Town Board reapproved this subdivision because the developer did not file the map cover within the required 60 day period. On August 9, 1978, this subdivision was filed in the Erie County Clerk's Office under Map Cover 2401. The Town Clerk was directed to remove this item from future agendas of the Town Board.
8. Alarm Security, Town Buildings
At the Town Board meeting of May 1, 1978, the Town Board accepted the revised proposals of American Alarm Services which were contained in their letter to the Town Board dated March 15, 1978. The Supervisor and Councilman Berent reported that the alarms have been installed and payment approved. The Town Clerk was directed to remove this item from future agendas of the Town Board.

9. Rezone Petition, J. Nicholas Mueller
On June 19, 1978, the Town Board held a Public Hearing on this matter and reserved decision. On July 21, 1978, the Town Board asked the Planning Board to re-evaluate existing zoning classifications on Genesee Street from Harris Hill Road east and report back to the Town Board.
10. Subdivison Approval, Country View East
On May 1, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
11. Speed Evaluation Survey, Simme Road
On May 1, 1978, the Town Board adopted a resolution requesting a speed evaluation survey from the N.Y.S. Dept. of Transportation.
12. Rezone Petition, Dennis Casillo
On June 5, 1978, this petition was presented to the Town Board and referred to the Planning Board for review and comment.
13. Rezone Petition, Norman H. and Maryann Bastian
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
14. Subdivision Approval, Heritage Hills
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

The Town Clerk was directed to add the following item to future agendas of the Town Board:

"Speed Evaluation Survey, Como Park Boulevard"

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mr. Charles Kolb, 5828 Broadway, asked the Town Board if he could have the Board's permission to sell firewood on his premises without complying with the Ordinance requirement of storing the firewood behind a 6-foot fence.

The Town Attorney advised Mr. Kolb that such an exception to the Zoning Ordinance is not within the discretion of the Town Board but would lie with the Zoning Board of Appeals.

Mr. Kolb was advised to contact the Town Clerk relative to submitting an application to the Zoning Board of Appeals for a variance.

Mr. Nicholas Mueller, 5645 Genesee Street, who had previously submitted a rezone application to the Town Board spoke relative to his displeasure after his second appearance before the Planning Board relative to his rezone petition.

Mr. Mueller felt that the Planning Board was really not interested in small industry and small businesses in the area.

The Supervisor, Town Attorney, and Mr. Brian Fahey, a Planning Board member in the audience, explained to Mr. Mueller that no denial of his rezone petition has been made at this time and that the Planning Board is composed of a cross segment of the community thereby creating a cosmopolitan board which is not totally pro residential or pro business, or pro rural and through the mixture of ideas within this cosmopolitan board, it is anticipated that a healthy, prosperous Lancaster will develop.

COMMUNICATIONSDISPOSITION

- | | |
|--|--------------------------|
| 626. Chief of Police to Kevin O'Hara -
Notification of Police Dept.'s procedure in
calling towing service. | R & F |
| 627. Town Clerk to Town Board -
Resume of actions taken in response to
directions and resolutions of the Town
Board meeting of 8/7/78. | R & F |
| 628. Chief of Police to Town Board -
Report on attendance at N.Y.S. Assoc. of
Chiefs Conference at Syracuse. | R & F |
| 629. Supervisor to Town Board -
Notification of various investments at
banks for month of July, 1978. | R & F |
| 630. Comm. Devel. Program, County Dept. of Environ.
and Planning to Supervisor -
Request staff consultation regarding property
acquisition. | R & F |
| 631. Comm., N.Y.S. Dept. of Environmental Conser.
to Supervisor -
Notification of agreement to delegate the
Construction Grants Program to NYSDEC with
list of meeting locations. | R & F |
| 632. Town Engineers to Town Board -
Transmittal of estimation of costs for
improvements to Town's water system. | R & F
Water Committee |
| 633. Ass't Building Inspector to Town Board -
Monthly report for July, 1978. | R & F |
| 634. Ex. Dir., Youth Bureau to Supervisor -
Request authorization for Supervisor, Ex.
Dir., and Chairman, Youth Bureau to attend
the Western N.Y. Assoc. of Youth Boards and
Youth Bureaus to be held 9/27/78 in
Cheektowaga. | R & F |
| 635. Town Accountants to Supervisor -
Announcement of promotion of Arthur Traver,
Jr., James J. Parkes III, and Edward D.
Mongold. | R & F |
| 636. Chief of Police to Town Board -
Report on highway and safety conditions on
Como Park Blvd., Cayuga Elem. School area. | Town Clerk |
| 637. Supervisor to Adm., Dir., County Water Authority -
Request meeting on 8/28/78 at the Town Hall
regarding water distribution system. | R & F |
| 638. Supervisor to Mr. Frank Kilbert, Jr. -
Comments regarding sewer location with notice
of letter copy forwarded to County Dept. of
Environ. and Planning for determination. | R & F |
| 639. Supervisor to County Comm. of Highways. -
Transmittal of letter from Highway Supt.
suggesting Ransom Road be deleted from
County snow removal contract with comments. | R & F |
| 640. Supervisor to Sewerage Maint. Eng., County
Dept. of Environ. and Planning -
Notification of willingness to accept \$9200.
for various equipment to be transferred to
ECSD No. 4. | R & F |

COMMUNICATIONS CONT'D.:

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DISPOSITION

641.	Lancaster Build. Maintenance to Supervisor - Suggestion that planned Development Corp. consider location of smaller businesses.	R & F
642.	Supervisor to Comptroller, N.Y.S. - Request review of documentation and advise regarding late payment of utilities.	R & F Town Clerk Supervisor
643.	Supervisor to Judith A. Stengel - Comments regarding Ellicott Creek problem area.	R & F
644.	Supervisor to Members, Recreation Commission - Comments regarding non-resident participation in Town recreation programs at public schools.	R & F
645.	Town Attorney to Town Board - Notification of amendment to the General Municipal Law regarding purchase and contracting functions.	R & F
646.	Town Attorney to Councilman Berent - Transmittal of excerpt from the Assoc. of Towns Publication relating to fire dept. youth programs with suggestion of review.	Police & Safety Comm.
647.	Judith J. Stengel to Supervisor - Complaints regarding Ellicott Creek conditions.	R & F
648.	Assessor to Supervisor - Request transfer of funds to replenish account to cover future vacation help during 1978.	Supervisor
649.	Pres., Southeast Community Work Center, Inc., to Town Board - Request for financial support for services rendered to mentally retarded adults in the community.	Budget Comm.
650.	Sales Mgr., Erie Lackawanna Railway Co. to Supervisor - Notification of recommendation placed to approve purchase offer of \$750.00 per acre for right-of-way; notification of efforts to secure release and assignment regarding Village of Lancaster.	Attorney Supervisor
651.	Chair., Ambulance Board to Town Board - Recommendation of 10 new members to LVAC.	R & F
652.	Reg. Dir., N.Y.S. Dept. of Transportation to Town Clerk - Notification that completed safety study of Broadway will be sent to Village of Alden; fire signal at Town Line Fire Hall will remain; and order to erect a "No Turn on Red" sign for northbound traffic on Town Line Road will be issued.	R & F
653.	Town Engineers to Town Board - Comments regarding Public Works Garage Construction.	Highway Supt.
654.	Sec'y, Millgrove Vol. Fire Co., Inc. to Town Clerk - Recommendation three new members to the active roster.	R & F

COMMUNICATIONS CONT'D.:

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DISPOSITION:

655. Sec'y, Bowmansville Vol. Fire Assoc. to Town Board -
Recommendation of two new members to active roster.

R & F

656. N.Y.S. Dept. of Environ. Conservation to Mr. and Mrs. Ronald Weihing -
Transmittal of draft permit regarding discharge of treated sanitary wastes.

R & F

657. Chair., Recreation Commission to Town Board -
Notification of readjustment of budget to allow pre-school swim program this fall.

R & F

658. Sec'y, Recreation Commission to Town Clerk -
Minutes for meeting held August, 1978.

R & F

659. Deputy Bldg. Inspector to Town Board -
Request consideration for reimbursement of course entitled "State Building Codes" being offered by Erie Community College.

R & F

660. Ex. Dir., County Youth Board to Youth and Recreation Directors and Zone Chairman -
Notification of workshop to be held 8/21/78 in Buffalo pertaining to the N.Y.S. Div. for Youth Project Application procedures.

R & F

661. Chair., Recreation Commission to Town Board -
Notice of correction actions taken against Gary Goetz due to complaints.

R & F

662. Pres., Stuart Alexander and Assoc. to Supervisor -
Offer of restoration services.

R & F

663. Supervisor to Town Board -
Notification of various investments during the month of July.

R & F

664. Pres., Doralco Inc. to Assem. Vincent Graber -
Comments regarding disadvantages of doing business in New York State.

R & F

665. Gen. Chair., Bicentennial Committee to Supervisor -
Invitation to be present when Lt. Governor of New York visits Opera House 8/24/78.

R & F

666. Town Engineer to Supervisor -
Estimation of cost regarding Sievenipiper Industrial Park is \$91,400.

R & F

667. Mr./Mrs. Glenn Tanner to Supervisor -
Expression of appreciation for pre-school swim program.

R & F

The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communications -
SUSPENSION GRANTED.

668. LVAC to Supervisor -
Request compromise between purchase of modular type vehicle and suburban vehicle.

Ambulance Board
Budget Comm.

669. Supt. of Lancaster Schools to Supervisor -
Expression of agreement with proposed fee for non residents regarding use of school recreation facilities.

R & F

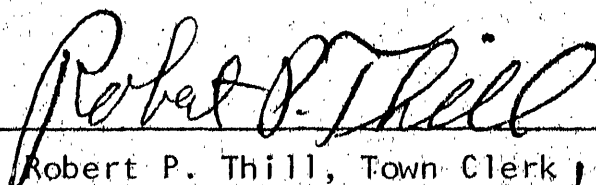
ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:30 P.M. out of respect to:

Clara Antonicelli

Father George W. Steuernagel

Signed


Robert P. Thill, Town Clerk,